

1 8MARCUS A. BERG, ESQ.
Nevada Bar No. 9760
2 marcus@mossberglv.com
3 JOHN C. FUNK, ESQ.
Nevada Bar No. 9255
4 john@mossberglv.com
MOSS BERG INJURY LAWYERS
5 4101 Meadows Lane, Suite 110
Las Vegas, Nevada 89107
6 Telephone: (702) 222-4555
7 Facsimile: (702) 222-4556
Attorneys for Plaintiff

8
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 LINDA SEVERSON,

12 Plaintiff,

13 vs.

14 SMITH'S FOOD & DRUG CENTERS,
15 INC., a Foreign Corporation, d/b/a SMITHS;
16 DON ENGLAND, an Individual; DAVID
HUFFER, an Individual DOE EMPLOYEE;
17 DOES I through X; and ROE
CORPORATIONS I through X, inclusive,

18 Defendants.
19

Case No.: 2:21-cv-00116-KJD-EJY

20 **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES (SECOND**
21 **REQUEST)**

22
23 Plaintiff LINDA SEVERSON (hereinafter "Plaintiff") and Defendant SMITH'S FOOD
24 & DRUG CENTERS, INC., (hereinafter "Defendant") (collectively "Parties"), by and through
25 their respective counsel of record, do hereby stipulate to extend the remaining deadlines in the
26 current scheduling order and discovery plan in this matter for a period of sixty (60) days for the
27 reasons explained herein, under LR 26-3 and LR IA 6-1, averring that this is the second such
28

1 discovery extension requested in this matter.

2 **DISCOVERY COMPLETED TO DATE**

3 1. The Parties held a FRCP 26(f) Conference on February 24, 2021;

4 2. Plaintiff served her Initial FRCP 26(a) Disclosure of Witnesses and Documents
5 on April 11, 2021;

6 3. Defendant served its Initial FRCP 26(a) Disclosure of Witnesses and Documents
7 on May 5, 2021;

8 4. Defendant served Plaintiff with Interrogatories, Requests for Production of
9 Document and Requests for Admissions on May 19, 2021

10 5. Plaintiff served her First Supplement to FRCP 26(a) Disclosure of Witnesses and
11 Document on June 8, 2021;

12 6. Plaintiff answered Defendant's discovery requests on June 15, 2021;

13 7. Plaintiff served Defendant with Interrogatories and Requests for Production of
14 documents on August 3, 2021;

15 8. Defendant answered Plaintiff's discovery requests on September 8, 2021;

16 9. Plaintiff's deposition was taken on September 16, 2021;

17 10. A site inspection with the Experts was done on November 5, 2021;

18 11. Plaintiff served her Expert Disclosures on November 16, 2021;

19 12. Defendant served its Expert Disclosures on December 27, 2021;

20 13. Plaintiff has executed several authorizations for medical records;

21 **DISCOVERY TO BE COMPLETED AND REASONS WHY**
22 **DISCOVERY HAS NOT BEEN COMPLETED**

23 Plaintiff and Defendant anticipate that further depositions of pertinent witnesses will be
24 necessary, including Plaintiff's deposition of Defendant's FRCP 30(b)(6) designee(s). Due to the
25
26
27
28

new variant of COVID-19 and the holiday schedule it's been difficult to coordinate these remaining depositions. The parties are currently working on securing dates for these remaining depositions.

CURRENT DATES AND PROPOSED SCHEDULE

CURRENT DATE

- | | | |
|----|----------------------|-------------------|
| 1. | Discovery Cut-off: | January 21, 2022; |
| 2. | Dispositive Motions: | February 21, 2022 |
| 3. | Pre-Trial Order: | March 23, 2022 |

PROPOSED NEW DATE

- | | | |
|----|---|--|
| 1. | Discovery Cut-off | March 21, 2022 |
| 2. | Dispositive Motions | April 21, 2022 |
| 3. | Pre-Trial Order
motions per Local Rule 26-1(e)(5). | May 23, 2022 or or 30 days after resolution of dispositive |

1 If this extension is granted, all remaining discovery mentioned above should be
2 concluded within the stipulated extended deadline. The parties aver that this request for
3 extension of discovery deadlines is made by the parties in good faith and not for the purpose of
4 delay.
5

6
7 DATED this 18th day of January 2022.

DATED this 18th day of January 2022

8 MOSS BERG INJURY LAWYERS

COOPER LEVENSON, P.A.

9 /s/ **MARCUS A. BERG, ESQ.**

/s/ **GREGORY KRAEMER, ESQ.**

10 _____
11 MARCUS A. BERG, ESQ.
12 Nevada Bar No. 9760
13 marcus@mossberglv.com
14 4101 Meadows Lane, Suite 110
15 Las Vegas, Nevada 89107
16 Telephone: (702) 222-4555
17 Facsimile: (702) 222-4556
18 *Attorneys for Plaintiff*
19 *Linda Severson*

JERRY S. BUSBY
Nevada Bar #001107
GREGORY A. KRAEMER
Nevada Bar #010911
3016 West Charleston Boulevard - #195
Las Vegas, Nevada 89102
(702)366-1125
FAX: (702) 366-1857
Attorneys for Defendant Smith's Food and Drug

16
17
18 **IT IS SO ORDERED.**

19
20 
21 _____
22 **UNITED STATES MAGISTRATE JUDGE**

January 18, 2022

23 **DATE**
24
25
26
27
28